

SEP 24 2007

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DATE: September 24, 2007

TO: Examiner Daryl C. Pope
TC Art Unit: 2612

Fax No.: (571) 273 8300

FROM: Richard E. Gamache

No. of pages transmitted
(including this page): 21

Our File: BU-094XX

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Sent by: Paula

Application No. 10/531,486
Filed Date: April 15, 2005
Confirmation No.: 8648A confirmation copy of this transmission will not be mailed unless the following is checked:
MESSAGEPLEASE DELIVER DIRECTLY TO:
EXAMINER DARYL C. POPE, Tel. (571) 272-2959
TC ART UNIT NO: 2612**FOR ENTRY**

Enclosed for filing please find an amendment dated September 24, 2007

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.


 Attorney for Applicant Richard E. Gamache
 Registration No. 39,196

357338

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SEP 24 2007

Application No.: 10/531,486
Filed: April 15, 2005
TC Art Unit: 2612
Confirmation No.: 8648

Rev 9/06

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP

Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313Via Facsimile**COMMISSIONER FOR PATENTS**
P.O. Box 1450
Alexandria, VA 22313-1450

Date: September 24, 2007

Attorney
Docket No.: BU-094XX

Sir:

In re application of: James E. Hubbard, Jr. et al.

Entitled: PATIENT ACTIVITY MONITOR

09/25/2007 VBU111 00000009 230804 18531486
01 FC:2251 60.00 DA

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

[] This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$_____) per §1.17(e).
 Enter the unentered amendment previously filed on _____ per §1.116.

Small Entity Status is asserted.

A Petition for Extension of Time for 1 month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$60.00) per §1.17.

In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

[] Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	2 - 3	= 0	x \$200.00 =	0
Total	32 - 36	= 0	x \$ 50.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$360.00 =	0
SUBTOTAL ADDITIONAL FEE:				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE:				0

No additional fee. The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$_____) for the cost of same.

The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Daryl C. Pope, TC Art Unit 2612, Fax No. (571) 273 8300, on Sept. 24, 2007.

REG/pjd/357337


 Attorney of Record: Richard E. Gamache
 Registration No.: 39,196

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003/021

SEP 24 2007

PATENT

Rev 02/07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : James E. Hubbard, Jr. et al.
 Application No. : 10/531,486
 Filed : April 15, 2005
 Confirmation No. : 8648
 For : PATIENT ACTIVITY MONITOR
 Examiner : Daryl C. Pope
 Attorney's Docket : BU-094XX

TC Art Unit: 2612

*
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 facsimile to Examiner Daryl C. Pope, TC Art Unit 2612, Fax No.
 (571) 273 8300, on September 24, 2007.

By: Richard E. Gamache
 Richard E. Gamache
 Registration No. 39,196
 Attorney for Applicants

* *

AMENDMENT

Via Facsimile
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 15, 2007 please
 amend the above-identified patent application as follows.

WEINGARTEN, SCHURGIN,
 GAGNEBIN & LEBOVICK LLP
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